



Decision Notice
& Finding of No Significant Impact
Rocky Gorge Scenic Area Improvements Project

USDA Forest Service
Saco Ranger District, White Mountain National Forest
Carroll County, New Hampshire

Introduction

This Decision Notice documents my decision for the Rocky Gorge Scenic Area on the Saco Ranger District, White Mountain National Forest. Rocky Gorge is a National Forest recreation site located on the Swift River in Albany, NH, along the Kancamagus Highway (New Hampshire Route 112) approximately 8.5 miles west of Conway NH. An Environmental Assessment (EA) was released for public comment in February 2003. It examined alternatives for the long-term design and management of the Rocky Gorge Scenic Area, including parking, trails, interpretive signs, toilets, trail bridge, and providing improved accessibility. This Decision Notice describes the alternative I am selecting, the reasons why, and summarizes the issues and questions arising from the public involvement for this project.

Decision

Based on my review of the EA, Project File, and Appendix C (Response to Comments), **it is my decision to implement Alternative 2 (Proposed Action)** for the Rocky Gorge Scenic Area. This alternative includes the following actions, as shown on the attached map and described in more detail in the Rocky Gorge Environmental Assessment. Also described below are mitigating measures that are to be applied to the project.

1. Activities related to Parking Facilities

- Relocate, reconstruct and reconfigure the existing south-end parking lot to accommodate all current use at the site. This part of the project is dependent on, and will be done in tandem with, relocation of the Kancamagus Highway away from the Swift River by NH Department of Transportation. The lot will be moved away from the river, with the eastern section located on the roadbed of the existing Kancamagus Highway.
- The lot will have:
 - A design that drains surface water away from the river into a grass-lined swale for filtration

- A single entrance/exit point from the highway located at the south end of the lot, away from the gorge.
- 42 car spaces around a central island, 5 dedicated bus spaces along the east (highway) side of the lot, dedicated space for up to 8 motorcycles (consisting of inset concrete kickstand pads), and two dedicated accessible spaces at the north end of the lot, closest to the bridge.
- Remove the current toilet. Construct an accessible toilet near the north end of the parking lot.
- Rehabilitate the hardened area between the lot and the river by planting native trees and shrubs. Harden the current boat put-in/take-out access trail to the river above the gorge.

2. Activities related to Access to the Gorge

- Convert the vehicle access road from the parking lot to the bridge location into a universally accessible trail. This will involve removing pavement, narrowing the width of the roadbed, and resurfacing with compacted natural material or pavement.
- Obliterate the north-end vehicle entry and the 1400 feet (approximately) of paved road from this entrance up to the bridge location. This will involve removing pavement, scarifying the ground, and seeding to a native ground cover. Foot access into this area would be permitted, and the roadbed would be available for informal visitor use.

3. Activities related to The Bridge

- Remove the current bridge over the gorge.
- Construct a new, universally accessible bridge spanning the gorge at a location approximately 90 feet downstream from the current location connecting the new accessible trail to the west side of the gorge.

4. Activities related to Access to Falls Pond

- Construct a universally accessible trail from the bridge to Falls Pond. The trail will incorporate curvilinear design, include rest locations, an overlook on the west bank directly above the falls and an overlook of Falls Pond.
- Remove the wooden staircase on the current trail. Rehabilitate the trail and surrounding area with native vegetation.

5. Activities related to Interpretation

- Install four interpretive panels along the trail from the parking lot to Falls Pond.

Mitigation Measures

Parking Capacity and Site Use Monitoring of site use should be conducted for the first three years after completion to determine whether any significant increase occurs. If the data suggests that buses are contributing to overuse of the site, consider reducing the number of dedicated bus spaces through pavement marking, signs, and/or passive barriers.

Diesel Engine Exhaust Concerns were expressed by some respondents to the EA that the objectionable odor of diesel exhaust will be noticeable in the air as bus drivers leave their parked buses idling. Such exhaust would likely be carried by prevailing winds downwind into the Rocky Gorge area. This will be mitigated by posting signs to advise bus drivers that engines must be shut off while parked.

Reasons for the Decision

I am selecting Alternative 2 because I believe, based on my review of the EA, public comments, and responses to those comments, it will best meet all stated objectives in the purpose and need statement. It is also responsive to issues raised during the analysis process.

Alternative 2 will (1) maintain or enhance the natural scenic beauty of the Rocky Gorge Scenic Area, (2) provide universal access to the entire developed site for disabled persons, (3) maintain the current development level for the site, (4) improve environmental safeguards for the Swift River, (5) provide improved pedestrian and vehicle safety, (6) correct bridge issues associated with its current location within the 100-year floodplain, and (7) improve the recreation visitor experience at the site.

Alternative 2 also meets all requirements under the White Mountain National Forest Land and Resources Management Plan, the Endangered Species Act, the Clean Water Act, the National Historic Preservation Act.

My reasons for selecting Alternative 2 are summarized below, by issue:

1. Natural scenic beauty

This issue was primary among several who provided comments on the analysis, and for good reason. The natural qualities that make Rocky Gorge appropriate for designation as a Scenic Area must be protected or enhanced, and not degraded, by any action taken. It is my conclusion that the changes to the human developments within the site will not degrade those natural qualities. Furthermore, when taken as a whole, these actions should in fact compliment the rustic character of the site and enhance the overall scenic experience available to visitors. The aspects of the project that compliment the scenic values at Rocky Gorge include:

- moving the parking area and associated improvements farther from the river,
- obliterating the entrance road and restoring its corridor to a natural condition,
- landscaping plans that include revegetating and tree planting in areas formerly occupied by the current parking area and Kancamagus Highway,
- utilizing a gentle arch design for the proposed new bridge,
- natural granite stonework, wood, and Cor-ten materials selected for use in the bridge and overlooks, and

- (although the subject of some disagreement) the very intent of moving the bridge is in part to restore the more natural scenic and geologic beauty of the Gorge itself through removal of the bridge and its abutments.

When combined with the connected actions of highway relocation away from the Gorge, and mitigations for area landscaping and planting, the proposed improvements should help realize our goal to enhance the rustic and scenic qualities of the site.

2. Accessibility

By designing the walkway, bridge, and trail to Falls Pond to meet specific standards, this alternative offers full access to both the primary and secondary attractions of the site for all Forest visitors (EA, page 39-40). Alternative 2 would provide full universal access all the way from the parking area to Falls Pond for disabled and non-ambulatory visitors. Such an objective is entirely appropriate for a developed site on a National Scenic Byway with large numbers of visitors whose mobility may be impaired. Based on my review of the proposed actions, I believe this objective can be met in a way that also complements the scenic beauty of the Rocky Gorge area.

3. Development Level

I do not believe that this proposal will significantly change the development level of the Rocky Gorge Scenic Area or result in increased use. I base this on the discussion in the EA (page 32-37) and from past experience with similar situations. Because the parking capacity of the lot changes only with respect to bus and RV parking, and bus traffic is confined almost exclusively to mid-week days during autumn, I do not believe that overall use of the site will increase as a direct result of this action. The changes within the site will better accommodate those visitors who intended to visit Rocky Gorge anyway. The actions should not be so profound as to draw in a segment of the population who has, in the past, avoided Rocky Gorge because of its undeveloped nature, with one notable exception - people with disabilities. This group of Forest visitors has few locations to experience an area such as Rocky Gorge away from a motor vehicle, and this is not such a large group as to overwhelm the site on any given day. In fact, by removing the interior access road through the site, it is entirely possible that actual overall site visitation will moderate or lessen, since those seeking only the drive-through opportunity will have to find it elsewhere along the highway.

Those physical changes to the site that may be viewed as an increase in development are each offset by a reduction in some other area. It is of primary importance to recognize the removal of the road and associated traffic through the site as a major reduction in the development level of the site. The bridge will be longer and wider, but removed as a constructed centerpiece from the middle of the gorge. Overlooks will be built, but bootleg trails will be rehabilitated. The parking area will expand, but it will move away from the river and have vegetation screening planted. Each action is accompanied by a reduction, leaving the changes best viewed as a modification, rather than an increase, in the development scale of the area.

4. Environmental Impact

Because of the relocation of the existing parking area away from the river, the re-grading of that lot to funnel surface water away from the river, the removal of the interior access road, the relocation of the bridge to a site less vulnerable to washout, and the creation of overlooks to concentrate visitor use on a hardened surface rather than along the edge of Falls Pond, I feel that

this alternative provides the greatest degree of environmental protection to the Swift River, the Falls Pond area, and the Scenic Area generally (EA, page 46-47).

5. Public Safety

This alternative addresses all of the most pressing long-standing safety concerns related to traffic flow and access to the bridge. It eliminates the threat of pedestrian/vehicle collisions along the interior access road, eliminates the low wooden barrier which invites “tightrope walking” through the site, improves the turning radii for larger vehicles, reduces the chances of vehicle/pedestrian collision by relocating the toilet, reduces the number of vehicle entry/egress points to one, eliminates the poor sight distance associated with the north-end access point, eliminates the need to cross open, uneven, and sometimes slippery ledges to access the bridge, and eliminates the chances for visitors to slip and fall under the bridge railings (EA, page 44-45).

6. Bridge Location and Design

The new location for the bridge allows for a universally accessible design. It also reduces the threat of ice and high water to the bridge (EA, page 42). While the foreground view of the falls will no longer be available from this vantage, the bridge will offer an attractive view of the length of the gorge with the falls moved to the mid-ground. The close-up views of the falls and the depths of the gorge may be obtained from either the overlook on the west side or (for the fully able) from the open ledges in the vicinity of the current bridge. Furthermore, the intrusion of the obviously constructed bridge will be removed from the center of the gorge, helping enhance the natural ruggedness of the sheer rock walls. The design will blend with the scenic qualities of the site, and the steel I-beam stringers may be faced with wood if it is felt that step is needed to enhance the material connection to the surroundings. The design also address safety concerns, as previously stated (EA, page 42-44).

7. Visitor Experience

The removal of the interior access road will lessen the impact of motor vehicle noise and odor on visitors to the site (EA, page 51). The alternative will provide an excellent blend of scenic viewing opportunities, with close-up views of the falls and the gorge from the ledges on the east side of the river and the overlook on the west side. A full view of the length of the gorge with the falls in the mid-ground will be available from the bridge. Concentrations of visitors will be removed from the center of the gorge since the bridge will be relocated, and these visitors will be dispersed across the site (EA, page 42, 52).

Summary. To a large extent, this analysis has documented the tension between two sometimes-conflicting goals: the goal of providing safe access for human use and enjoyment, and the goal of preserving a natural, unmodified setting. I do not believe anyone would challenge the desire to provide greater access to people with disabilities if it were not for a presumed cost in terms of development level. The task becomes how to find balance and between these goals. Because Rocky Gorge is a developed site along the Kancamagus Highway, within the Roaded Natural Recreation Opportunity Spectrum setting, and for all the above stated reasons, I believe the selection of Alternative 2 strikes the most appropriate balance.

Other Alternatives Considered

In addition to the selected alternative, I considered two other alternatives. A comparison of these alternatives can be found in the EA on page 28. A discussion on the effects of implementing each alternative can be found in Chapter 3.0 of the EA.

Alternative 1 No Action

Under the No Action alternative, no development changes would take place within the Rocky Gorge Scenic Area at this time. Ongoing maintenance of the existing facilities at the site would continue

Alternative 3

This alternative was developed to respond to public concerns about the overall level of development at the site and the location and design of the bridge, while still partially addressing some limited aspects of the safety, environmental, accessibility, and visitor experience concerns.

The same actions regarding parking facilities, entrance road obliteration, and toilet building construction described in Alternative 2 (Proposed Action) would occur with this Alternative. An accessible trail would connect from the parking area to a location in the vicinity of the old water pump location near the current Rocky Gorge footbridge. It would NOT include however any changes or improvements to the trail bridge, accessible trail beyond the bridge, or scenic overlooks on the west side of the Gorge and at Falls Pond. Interpretation would still consist of four (4) panels, but only three would be located along the accessible trail. A fourth sign would be installed at Falls Pond.

Public Involvement

As described in the background section of the EA (pages 6-7), the need for this action arose in the early 1990's, and initial analysis conducted through 1996.

For the current analysis, the WMNF Schedule of Proposed Actions has included the Rocky Gorge project since October 1, 2001. In addition, as part of the public involvement process, the agency engaged in the following activities:

Scoping – A scoping letter requesting public comment was mailed to interested parties on November 27, 2002.

- Public notices regarding the proposed action appeared in the following newspapers:
 - The Manchester Union Leader, December 6, 2002
 - The Conway Daily Sun, December 6, 2002
 - The Mountain Ear, December 5, 2002
- To provide current project information and seek input, comments or concerns, the Saco District Ranger has met with:
 - Town of Albany, Board of Selectmen – Fall 2001, Winter 2002, August 7, 2002.
 - Town of Bartlett, Board of Selectmen – July 26, 2002.

- The Local Swift River Advisory Committee, July 8, 2002, and periodic updates since.
- The following meetings have occurred with NH DOT:
 - January 31, 2002, Concord, NH
 - May 14, 2002, Rocky Gorge site
 - June 14, 2002, Saco Ranger Station
 - November 8, 2002, Concord, NH
 - January 9 and 21, 2002, Concord, NH

Using the comments from the public and other agencies, the interdisciplinary team identified several issues regarding the effects of the proposed action. These issues are listed above in the discussion of the rationale for my decision. To summarize, the central issues were: Scenic Quality & Development Level, Accessibility, Bridge Location and Design, Public Safety, and Environmental Impact. To address these concerns, the Forest Service created the alternatives described above. A discussion of each central issue is located in the EA on pages 14-16.

EA Comment Period. Public comments on the Environmental Assessment (EA) for this project were solicited from February 25 to March 26, 2003.

Public notification was done via letters to interested individuals and groups, and legal notices published in the Manchester Union Leader and the Conway Daily Sun. Comments were received from 11 parties, and are addressed in Appendix C to the EA, titled “Response to Comments”.

It is of vital importance to recognize that the public involvement that occurred in the early 1990’s as part of the original Environmental Assessment, and the comments generated after the draft EA was issued in 1995 were fundamental in getting us to the starting point for the 2003 analysis and this decision. All told, three distinct public involvement efforts have occurred, and eight different alternatives have been examined in the nine years this process has gone on.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. **The Selected Alternative does not involve the balancing of potentially significant beneficial and adverse environmental effects to produce a net effect that is neutral or beneficial.** My finding of no significant environmental effects takes into account that there are several individual actions proposed as part of the Rocky Gorge Scenic Area Improvement Project, each of which creates a corresponding positive and/or negative effect. However, I know of no actions in this project that, either individually or cumulatively, is likely result in a significant effect. For instance, removing the entrance road entails breaking up and digging out the old pavement, loading, and trucking it, with corresponding temporary disturbances to local soils and possible short-term erosion .

Mitigating the effects of this by applying Forest Plan standards and guidelines, and Best Management Practices (i.e. use of sedimentation control devices and rapid revegetation of disturbed soils) will ensure that no significant adverse effect occur from this action, which has the long-term beneficial effect of protecting water quality in Swift River through removal of vehicle traffic in the riparian zone. In fact, as described in EA pages 15-16 & 31-52, environmental effects is one of the general long-term benefits of selected alternative #2.

2. **Public health and safety concerns are effectively mitigated in the Preferred Alternative.** The effects of the action on public health and safety are largely beneficial. As described in detail in the EA (pages 44-45) and in Appendix C (Pages 9-11), Alternative 2 addresses and attempts to improve public safety at Rocky Gorge by providing traffic and pedestrian safety improvements in the parking area, and relocating the bridge to a location that avoids the open, uneven rock ledges, which may be slippery in wet, icy, or snowy conditions.
3. **There will be no significant effects on unique characteristics of the area.** Nothing in this action affects the status of the area as a designated Scenic Area (EA, page 12). Rocky Gorge Scenic Area objectives defined in the Forest Plan (pages III-70 to III-71) are met or exceeded. Heritage and historical resources on the site are protected or mitigated. One of the interpretive signs focuses on historical use of Rocky Gorge, and other historic interpretive opportunities are addressed in Appendix C (Pages 18-19). Additionally, nothing in this action affects the potential consideration of the Swift River as a designated Wild and Scenic River (EA, page 49).
4. **The effects on the quality of the human environment are not likely to be highly controversial.** There is no known scientific controversy regarding the impacts of the project (EA pages 49-51, Biological Evaluation, Fish and Wildlife Report). There is no scientific controversy surrounding the design and construction of recreation improvements and, as described on EA pages 45 to 51, one of the objectives of this project is to address and improve water quality in Swift River by removing the existing road and relocating the parking area.
5. **The effects on the quality of the human environment are not uncertain and do not involve unique or or unknown risks.** The Forest Service has considerable experience with recreation site improvement projects and management of scenic areas. The effects analysis in the EA shows the effects are not uncertain, and do not involve unique or unknown risk (EA, Chapter 3.0). Use of Best Management Practices and application of Forest Plan Standards and Guidelines will further assure that effects are minimal.
6. **The Preferred Alternative does not represent a precedent for future actions with significant effects and does not constitute a decision in principle about future considerations.** The action is not likely to establish a precedent for future actions with significant effects, because no other future actions are planned in the Rocky Gorge area, nor does it set precedent that will be applied at any other National Forest sites in the area.
7. **The Preferred Alternative is not related to other actions with individually insignificant but cumulatively significant impacts.** The cumulative impacts are not significant because it is not connected to any past, present, or reasonably foreseeable

Federal actions by the Forest Service in this area of the National Forest (see EA pages 31-47). While the New Hampshire Department of Transportation is concurrently planning highway improvements on this and other portions of Highway 112 in the coming years, their projects are part of their long-term plan, are guided by DOT objectives, and are supported by their individual project environmental NEPA analysis.

8. **There are no anticipated effects on scientific sites or sites eligible for listing in the National Register of Historic Places.** The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because no significant cultural resources were found within the project area (EA, page 52). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources. Mitigation is in place to protect any cultural resources found during construction (EA, page 29). Regarding the possible cultural significance of the interior access road, the action calls for removal of pavement, but retains the road bed and prism. Future information or research indicating cultural significance of the road bed may lead to future actions documenting this importance (EA, pages 18-19 and Appendix C page 18).
9. **The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973.** There are negligible effects on wildlife and plant habitat in general, and no known Federally listed endangered species in the project area (EA pages 50-51; Biological Evaluation; Fish and Wildlife Report). Mitigation calls for steps to be taken to protect any populations of a USDA Forest Service Eastern Regional Forester's listed sensitive plant species that may occupy the project area (EA, pages 28-29).
10. **The action will not violate Federal, State, and local laws or requirements for the protection of the environment** The action is consistent with the White Mountain National Forest Land and Resource Management Plan (EA, pages 11, 12, Appendix A, B) and all known State and local ordinances regarding the protection of the environment. Contacts were made during EA preparation with the Town of Albany, and Swift River Advisory Committee in an attempt to address State and local issues and concerns.

The Forest Service's National Environmental Policy Act Handbook (FSH 1909.15), Chapter 20.6 outlines four classes of actions where Environmental Impact Statements (EIS's) are required. Based on my review of the environmental analysis documents and the FSH 1909.12 standards, I find that Rocky Gorge Project preferred alternative (Alternative 2) does not fit into any of the classes of actions requiring Environmental Impact Statements in FSH 1909.15, Chapter 20.6.

In conclusion, I find that the Preferred Alternative (Alternative 2) will not have a significant impact on the physical or human environment. Therefore, the Forest Service shall not prepare an Environmental Impact Statement for the Rocky Gorge Scenic Area Improvements Project.

Findings Required by Other Laws and Regulations

This decision to implement Alternative 2 is consistent with the intent of the Forest Plan's long term goals and objectives on pages III-1 to III-3. The project was designed in conformance with land and resource management plan standards and incorporates appropriate Forestwide

guidelines listed on pages III-1 to III-29, and guidelines for Management Area 8.1 (Rocky Gorge) direction found on pages III-70 and III-71.

Administrative Review or Appeal

A notice of this decision will be published in the legal notices section of *The Union Leader* (Manchester, NH) on Monday April 21, 2003. All administrative due dates related to appeals and project implementation are determined using the publication date of the notice as a starting point.

This decision is subject to appeal in accordance with 36 CFR 215.7. Appeals of this decision are subject to Forest Service regulations in the Code of Federal Regulations, Title 36, Part 215 (or 36 CFR 215). The appeal must be submitted in writing (36 CFR 215.2). Appeal documents must be postmarked or received by the Appeal Deciding Officer within 45 days. The 45-day appeal period begins the day following the date of publication of the notice of this decision. For appeals of this project, the Deciding Officer is the Regional Forester, USDA - Forest Service, Eastern Region, 301 West Wisconsin Avenue, Milwaukee, WI 53203. Appeals must meet content requirements outlined in the Code of Federal Regulations, Title 36, Part 215.14.

Implementation Date

This project will be implemented on or after five (5) business days after the close of the appeal filing period described above. If an appeal is filed, implementation may not occur for fifteen (15) days following the date of appeal disposition, provided the Appeal Deciding Officer upholds the decision.

Contact Person

For additional information concerning this decision or the Forest Service appeal process, contact Dean Yoshina (603-447-5448 x 109) or Dave Neely (603-447-5448 x112).

TERENCE W. MILLER

District Ranger
Saco Ranger District

Date

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